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7	UNITED STATES DISTRICT COURT	
8	UNITED STATES DISTRICT COURT	
9	NORTHERN DISTRICT OF CALIFORNIA	
10	SAN FRANCISCO DIVISION	
11	CHEERY WAY (USA), INC., a California corporation,	Case No. CV12-0486 JSC
12	Plaintiff,	PLAINTIFF CHEERY WAY (USA), INC.'S
13	v.	CASE MANAGEMENT STATEMÉNT [FRCP 26(f); CIV L.R. 16.9]
15	NGOC DIEP DUONG, an individual; THU HA NONG, an individual; INCOM TRADING USA, a	Date: December 6, 2012
16	California corporation; INCOM TRADING CORPORATION, INC., a California corporation;	Time: 1:30 p.m. Ctrm: F, 15 th Flr.
17	POWELL TRADING, INC., a California corporation; POWELL COMMODITY INC., a	
18	California corporation; WILLIAM WONG, an individual; VIVIAN THUVAN NGUYEN, an individual; VIOLA G. WONG, an individual; and	
19	DOES 1-100, inclusive,	
20	Defendants.	
21		
22	Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure (FRCP) and Rule 16-9 of the	
23	Civil Local Rules, Plaintiff CHEERY WAY (USA), INC. herein submit this Individual Case	
24	Management Statement and Proposed Order, and request the court adopt it as its Case Management	
26	Order in this case.	
27	NO REMAINING ISSUES – CASE SHOULD BE DISMISSED	
28	On August 27, 2012, the parties, through their respective attorneys, stipulated to dismiss	
۷ ۷	Defendants THU HA NONG, VIVIAN THUVAN NGUYEN, POWELL TRADING, INC., POWEL	
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COMMODITY INC., and VIOLA G. WONG [Docket No. 48]. 1 On November 5, 2012, the Court Clerk issued a default judgment for Plaintiff CHEERY WAY 2 (USA), INC. and against Defendants INCOM TRADING USA and INCOM TRADING 3 CORPORATION, INC. in the principal sum of \$678,000 [Docket No. 55]. 4 On November 29, 2012, Plaintiff CHEERY WAY (USA), INC. filed a Notice of Bankruptcy 5 [Docket No. 56] notifying the Court that Defendants NGOC DIEP DUONG and WILLIAM WONG 6 have filed for Chapter 7 in the United States Bankruptcy Court, Central District of California, Case 7 Nos. 8:12-bk-17143-ES and 2:12-bk-11855-RN, respectively [Docket No. 56]. 8 There are no remaining defendants in this case and the Court should therefore take the Case 9 Management Conference currently set for December 6, 2012 off calendar and order a dismissal in this 10 case. 11 12 13 Dated: November 29, 2012 14 LAW OFFICE OF BRIAN E. SORIANO 15 16 By: /s/ Brian E. Soriano Brian E. Soriano 17 Attorneys for Plaintiff CHEERY WAY (USA), INC. 18 19 20 [PROPOSED] CASE MANAGEMENT ORDER 21 The Court hereby adopts the Case Management Statement and [Proposed] Order for the case 22 and the parties are ordered to comply with this Order. In addition, the court orders that all issues have 23 been resolved and therefore orders this case dismissed. 24 25 26 Dated: , 2012. Honorable Jacqueline S. Corley 27 United States Magistrate Judge 28